



The Internet Corporation for Assigned Names and Numbers

19 August 2016

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE, AND COURIER

Mariane Corazza
Oi Internet S/A (IANA #1380)
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RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT

Dear Mariane Corazza,

Please be advised that as of 19 August 2016, Oi Internet S/A (“Oi Internet”) is in breach of its Registrar Accreditation Agreement (“RAA”) with the Internet Corporation for Assigned Names and Numbers (“ICANN”) dated 1 August 2012 (“RAA”). These breaches result from:

1. Oi Internet’s failure to take reasonable steps to investigate and correct claimed Whois inaccuracies regarding the domain name <tendasecoberturas.com>, as required by Section 3.7.8 of the RAA; and
2. Oi Internet’s failure to maintain and make available to ICANN registration data and records relating to dealings with the Registered Name Holder (“RNH”) of the domain name <tendasecoberturas.com>, as required by Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.

In addition, Oi Internet has been deemed noncompliant in the following areas:

1. Oi Internet’s failure to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active

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registered names sponsored by Oi Internet for each top-level domain (“TLD”) in which it is accredited, as required by Section 3.3.1 of the RAA;

2. Oi Internet’s failure to provide a description on Oi Internet’s website and/or in its registration agreement of the methods used to deliver pre- and post-expiration notifications, as required by Section 4.2 of the Expired Registration Recovery Policy (“ERRP”); and
3. Oi Internet’s failure to timely pay past due accreditation fees, as required by Section 3.9 of the RAA.

Additional Concerns

ICANN notes that Oi Internet has been nonresponsive to ICANN Contractual Compliance matters.

ICANN requests that Oi Internet cure these breaches by 9 September 2016, 21 days from the date of this letter, by taking the following actions:

1. Provide records demonstrating that Oi Internet took reasonable steps to investigate and, where applicable, correct the Whois inaccuracy concerning the domain name <tendasecoberturas.com>. This includes copies of Oi Internet’s correspondence with the RNH while investigating the Whois inaccuracy claims (including dates, times, means of inquiries, telephone numbers, e-mail addresses and postal addresses used);
2. Provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by Oi Internet for each TLD in which it is accredited;
3. Provide a description of the methods used to deliver pre- and post-expiration notifications on Oi Internet’s website, and include a description of its notification methods or a link to the applicable page(s) on its website where this information is available in Oi Internet’s registration agreements;
4. Provide ICANN with the corrective and preventative action(s) that Oi Internet will take, with implementation date(s), to address its non-response to ICANN Contractual Compliance matters; and
5. Pay all past and currently due accreditation fees.



Mariane Corazza
Oi Internet S/A

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If Oi Internet fails to timely cure the breaches and provide the information requested by 9 September 2016, ICANN may commence the RAA termination process.

If you have questions or require assistance, please contact Jennifer Scott at jennifer.scott@icann.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad".

Maguy Serad
Vice President
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary

ATTACHMENT

Failure to take reasonable steps to investigate and correct Whois inaccuracy

Section 3.7.8 of the RAA requires registrars, upon notification of a claimed inaccuracy in the contact information associated with a registered name sponsored by a registrar, to take reasonable steps to investigate the claimed inaccuracy. In the event the registrar learns of inaccurate contact information associated with a registered name it sponsors, the registrar shall take reasonable steps to correct that inaccuracy. Oi Internet's failure to provide documentation demonstrating the reasonable steps it took to investigate and correct the alleged Whois inaccuracy is a breach of Section 3.7.8 of the RAA.

Failure to retain registered name holder and registration data and failure to make such data available for inspection and copying

Sections 3.4.2 and 3.4.3 of the RAA requires registrars to maintain RNH and registration data, and to make those records available to ICANN upon reasonable notice. Oi Internet's failure to provide the requested registration records and data related to the domain name <tendasecoberturas.com> is a breach of Sections 3.4.2 and 3.4.3 of the RAA.

Failure to provide an interactive webpage and port 43 Whois service

Section 3.3.1 of the RAA requires registrars to provide an interactive webpage and a port 43 Whois service providing free public query-based access to up-to-date data concerning all active registered names sponsored by the registrar. Oi Internet's failure to provide an interactive webpage and port 43 Whois service is a breach of Section 3.3.1 of the RAA.

Failure to describe the methods used to deliver pre- and post-expiration notifications

Section 4.2 of the ERRP requires registrars to describe on their websites (if used), and include in their registration agreements a description of its notification methods or a link to the applicable page(s) on their websites where this information is available, the methods used to deliver pre- and post-expiration notifications for renewal of domain registrations. Oi Internet's failure to describe these notifications on its website and in its registration agreement is a breach of Section 4.2 of the ERRP.

Failure to pay accreditation fees

Section 3.9 of the RAA requires registrars to timely pay accreditation fees to ICANN, consisting of yearly and variable fees. Oi Internet owes ICANN past due accreditation fees, in breach of Section 3.9 of the RAA. Oi Internet additionally owes currently due accreditation fees, due 30 August 2016.

Chronology:

Date of Notice	Deadline for Response	Details
29-Jun-2016	20-Jul-2016	ICANN sent 1st compliance notice via email to PP-OiInternetEmpresarial@oi.net.br and fabio.ferragi@oi.net.br . No response received from Registrar.
27-Jul-2016	3-Aug-2016	ICANN sent 2nd compliance notice via email to PP-OiInternetEmpresarial@oi.net.br and fabio.ferragi@oi.net.br . No response received from Registrar.
1-Aug-2016	8-Aug-2016	ICANN re-sent 2nd compliance notice via email to PP-OiInternetEmpresarial@oi.net.br and fabio.ferragi@oi.net.br . No response received from Registrar.
2-Aug-2016	N/A	ICANN called Primary Contact at +55 11 3065 9763. No answer and no ability to leave a message. ICANN spoke with Primary Contact at mobile number [NUMBER REDACTED] and provided complaint details.
2-Aug-2016	8-Aug-2016	ICANN re-sent 2nd compliance notice via email to PP-OiInternetEmpresarial@oi.net.br , fabio.ferragi@oi.net.br and joao.coelho@oi.net.br . No response received from Registrar.
10-Aug-2016	17-Aug-2016	ICANN sent 3rd compliance notice via email to PP-OiInternetEmpresarial@oi.net.br and fabio.ferragi@oi.net.br . No response received from Registrar.
10-Aug-2016	N/A	ICANN sent 3rd compliance notice via fax to +55 11 3065 9956. Fax unsuccessful.
15-Aug-2016	N/A	ICANN called Primary Contact at +55 11 3065 9763 and at mobile number [NUMBER REDACTED]. No answer and no ability to leave a message. ICANN called Registrar Representative at +55 11 3065 9000 and at mobile number [NUMBER REDACTED]. No answer and no ability to leave a message.

Date of Notice	Deadline for Response	Details
19-Aug-2016	N/A	ICANN called Primary Contact at +55 11 3139 9697. No answer and no ability to leave a message. ICANN spoke with Primary Contact at mobile number [NUMBER REDACTED]. Call disconnected. ICANN called Primary Contact at mobile number [NUMBER REDACTED]. No answer and provided complaint details via voicemail.
19-Aug-2016	N/A	ICANN conducted compliance check to determine other areas of compliance.
19-Aug-2016	N/A	To date, the Registrar has not responded to ICANN with the requested information and documentation and the issue remains unresolved.